

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 37838

ASSIGNED

Date of filing in State Engineer's Office..... APR 10 1979
Returned to applicant for correction..... SEP 17 1979
Corrected application filed..... NOV 5 1979
Map filed..... NOV 5 1979 under 37818

The applicant..... McCormick Brothers c/o Boyack Surveying, Inc.
..... 515 South Fifth Street of Elko
..... Street and No. or P.O. Box No. City or Town
..... Nevada 89801 hereby make..... application for permission to appropriate the public
..... State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Spring No. 10
..... Name of stream, lake or other source.

2. The amount of water applied for is..... 0.5 cfs second-feet
..... One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... Stockwater
..... Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered)..... 1000 Cattle

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SE1/4 SE1/4 Section 22, T 40 N,

R 58 E, MDB & M., at a point from which the SE Corner of said Section 22 bears
..... Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

S 10° 12' 14" E 508.04 feet.
..... it should be stated.

6. Place of use..... SE1/4 SE1/4 Section 22, T 40 N, R 58 E, MDB & M.
..... Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about..... January 1 and end about..... December 31 of each year.
..... Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Improve springs

..... State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$500
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant.....McCormick Brothers

By s/Alan S. Boyack
 Alan S. Boyack
 515 South Fifth Street
 Elko, Nevada 89801

Compared bc/bl

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~^{deny} the same, subject to the following limitations and conditions:

Applications 37818, 37820, 37829, 37830, 37831, 37834 through 38741, 37843, 37844 and 37848 are hereby denied on the grounds that the Humboldt River and its tributaries are fully appropriated and to approve said applications would impair the value of existing decreed rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 Recorded..... Bk..... Page.....
 County Recorder

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 7th day of December,

A.D. 1995

[Signature]
 State Engineer